

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

CHEVENE B. KING, JR.,

Plaintiff,

vs.

EARLY COUNTY, GEORGIA, et al.,

Defendants.

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1:05-CV-08 (WLS)

ORDER

On January 18, 2005, the instant action was filed, but was not served upon Defendants. (Doc. No. 1). After the period for perfecting service had expired, the Court, on its own initiative, issued a show cause order on June 28, 2005 for Plaintiff to show cause why the case should not be dismissed for failure to serve Defendants. (Doc. No. 3). Plaintiff has failed to respond to the Court's show cause order. It is not an abuse of discretion for this Court to dismiss the complaint upon a failure of Plaintiff to show good cause for his failure to serve Defendants. Hunt v. Depart. of the Air Force, 29 F.3d 583 (11th Cir. 1994). Therefore, the complaint as asserted against Defendants is **DISMISSED without prejudice**. The Clerk is **ORDERED** to close the file.

SO ORDERED, this 20th day of July, 2005.

/s/W. Louis Sands
W. LOUIS SANDS, CHIEF JUDGE
UNITED STATES DISTRICT COURT